

REMARKS

Claims 1-62 are pending in this application. Claims 1, 10, 19, 31, 40, 41, 47, 51, 55, 56, 57, 61 and 62 are independent claims. Claim 1 is amended. Claims 10-30, 41-50 and 56-61 are withdrawn. Reconsideration and allowance of the present application are respectfully requested.

Claim Rejections under 35 U.S.C. §102

Claims 1, 31, 40, 51, 55 and 62 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 7,051,268 to Sindhushayana (hereinafter "Sindhushayana"). This rejection is respectfully traversed.

Sindhushayana discloses reducing power consumption of a decoder in a communication system. In the communication system communicating a packet, the packet can be arranged among slots of a communication channel so that each slot following the first slot contains redundant bits of the packet with respect to the first slot. FIG. 4 illustrates a conceptual forward link structure in accordance with an embodiment of the invention. The transmission of the first slot of a multi-slot packet from a transmitting station to a receiving station starts in the n-th slot. Each successive slot of the multi-slot packet is transmitted m slots later. The value of m is determined to allow the receiving station to decode the packet after each additional slot of transmission, verify the CRC of the decoded result, and inform the transmitting station about the outcome, before the receiving station receives the next slot. If the receiving station manages to decode the packet before the normal packet transmission is complete, it sends an FAST_ACK signal to the transmitting station before the next slot of the current packet is sent. The transmitting station demodulates and interprets the FAST_ACK signal sufficiently in advance to terminate transmission of the current packet. The transmitting station may then transmit a new packet to the receiving station or a different receiving station, during the period in which it would have otherwise transmitted the original packet. See at least Col. 4, lines 5-23.

Applicants submit that Sindhushayana does not teach or suggest each of the elements of the pending claims. Each of claims 1, 31, 40, 51, 55 and 62, in part, recites "issuing a speculative response to said first data packet to said second wireless access point." Sindhushayana does not teach or suggest this feature.

As noted above, Sindhushayana discloses that if a receiving station decodes the packet before the normal packet transmission is complete, it sends an acknowledgement signal. The acknowledgement signal is not a speculative response. The acknowledgement signal submitted by the receiving station in Sindhushayana is to indicate that the receiving station has, in fact, completed decoding the packet before the normal packet transmission is complete. This factual acknowledgement causes the transmitting station to terminate transmission of the current packet. Therefore, Sindhushayana does not teach or suggest “issuing a speculative response to said first data packet to said second wireless access point,” as recited in the pending claims.

Based on the distinctions noted above, Applicants respectfully request that this rejection of claims 1, 31, 40, 51, 55 and 62 under 35 U.S.C. §102 be withdrawn.

Allowable Subject Matter

Applicants note with appreciation the Examiner’s indication that claims 2-9, 32-39 and 52-54 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Based on the arguments presented above, Applicants respectfully submit that all of the pending claims are allowable and request that all of the pending claims be allowed and this application be passed to issue.

Disclaimer

Applicants may not have presented all possible arguments or have refuted the characterizations of either the claims or the prior art as found in the Office Action. However, the lack of such arguments or refutations is not intended to act as a waiver of such arguments or as concurrence with such characterizations.

CONCLUSION

In view of the above, consideration and allowance are respectfully solicited.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

The Office is authorized to charge any necessary fees to Deposit Account No. 22-0185.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 27592-00275-US3 from which the undersigned is authorized to draw.

Dated: May 6, 2009

Respectfully submitted,

Electronic signature: /Arlene P. Neal/
Arlene P. Neal
Registration No.: 43,828
CONNOLLY BOVE LODGE & HUTZ LLP
1875 Eye Street, NW
Suite 1100
Washington, DC 20006
(202) 331-7111
(202) 293-6229 (Fax)
Attorney for Applicant